

Equality, Diversity & Inclusion Policy

To set out the Trust's '**zero tolerance**' policy on equality and human rights in relation to employment, service delivery, goods, supplies, contractors and partner agencies, outlining the expected standards in order that no individual or group of people receive less favourable treatment either directly or indirectly.

Key Words:	Equality,	
Version:	5	
Adopted by:	Strategic Workforce Group	
Date adopted:	21 November 2018	
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Name of responsible committee:	Workforce and Wellbeing Group	
Date issued for publication:	November 2018	
Review date:	May 2021	
Expiry date:	1 November 2021	
Target audience:	LPT employees, service users, patients, carers, external stakeholders, wider communities of interest.	
Type of Policy	Clinical	Non Clinical
Which Relevant CQC Fundamental Standards:	14	

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All Trust Policies can be provided in large print or Braille formats, if requested, and an interpreting service is available as required.

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Version number	Date	Comments (description change and amendments)
Version 1 Draft 1	September 2011	
Version 2.0	20 December 2011	Amendments post initial review of draft 1.0
Version 3.0	20 February 2012	Final Draft prior to consultation
Version 3.1	06 March 2012	Amendments following feedback from HR LPT Staff side Policy Group
Version 4 Draft 1	January 2014	Reviewed and revised EHR policy in line with legislation
Version 5	January 2018	<p>Reviewed and revised to take account of any changes in legislation, policy and practice. The changes entail the following:</p> <ul style="list-style-type: none"> • Titled changed to Equality, Diversity and Inclusion policy; • Key words includes 'inclusion'; • Clarity and update on the legislation; • Extensive details on Human Rights Act removed • Reasonable adjustment moved under Gender Re-assignment; • Update of information; • Clarity on zero-tolerance to bullying and harassment; • The word 'support' under ABHAS changed to 'advice'. • Added Modern Slavery Act 2015 information. • Updated information under the following; <ul style="list-style-type: none"> ○ training details; ○ revised diversity and inclusion approach; ○ Staff Support Groups; ○ Procurement; ○ Hate Crime; ○ Performance and contracts; ○ Monitoring and review; ○ Due regard; ○ Complaints.

Version 6	15 November 2018	Reviewed and revised to take account of any changes in legislation, policy and practice. The changes entail the following: Updated information: <ul style="list-style-type: none"> • Due Regard • Removed NHSLA standards
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Definitions

Please click here for a comprehensive schedule of equality, diversity and human rights related definitions	
Bullying	Bullying is offensive, intimidating, malicious, or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.
Due Regard	Having due regard for advancing equality involves: <ul style="list-style-type: none"> • Removing or minimising disadvantages suffered by people due to their protected characteristics. • Taking steps to meet the needs of people from protected groups where these are different from the needs of other people. • Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.
Diversity	Diversity is about the recognition and valuing of difference in its broadest sense. It is about creating a working culture and practices that recognise, respect, value and harness difference for the benefit of the organisation, its workforce and the individual, including patients
Dignity and Respect	To treat someone with dignity is to treat them as being of worth, in a way that is respectful of them as individuals. Dignity is the result of being treated with respect. It is internal and often associated with a sense of worth, well-being, being valued and having a sense of purpose. Respect is done (not in a pejorative sense) to other people. When dealing with other people it is about being polite, being thoughtful and caring, keeping them informed, meeting their needs, ensuring their privacy, etc. and not treating them as an object of service.
Equality	Equality is not about treating everyone the same it is about creating a fairer society where everyone can participate and has the opportunity to fulfil their potential. The implementation of equality is backed by legislation designed to address unfair discrimination based on particular protected characteristics.
Equality and Diversity	Equality and Diversity are not inter-changeable but inter-dependent. There can be no equality of opportunity if difference is not valued, harnessed and taken account of.
Equality Groups	People exhibiting one or more of the protected characteristics; age, disability, gender, ethnicity, religion and belief, sexual orientation, transgender, maternity and paternity and marriage and civil partnership.
Fairness	Fairness is treating people equally or in a way that is right or reasonable and considering everything that has an effect on a situation , so that a fair judgment can be made.
Harassment	In the Equality Act 2010 harassment is defined as ‘unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual’.
Human Rights	'Human rights' are the basic rights and freedoms that belong to every person in the world. They are the fundamental things that human beings need in order to flourish

	and participate fully in society. Human rights belong to everyone, regardless of their circumstances. They cannot be given away or taken away from you by anybody – although some rights can be limited or restricted in certain circumstances. For example, your right to liberty (Article 5, European Convention on Human Rights) can be restricted if you are convicted of a crime.
Inclusion	The term inclusion is seen as a universal human right and aims to embrace all people irrespective of their protected characteristic, medical condition or other need. It is about giving equal access and opportunities and getting rid of discrimination and intolerance.
Protected Characteristics	This policy is intended to protect employees and service users from unfair treatment, regardless of their background. Our definition of 'protected characteristics' is based on those set out in the Equality Act 2010. The nine protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
Public Sector Equality Duty	A public authority (including NHS organisations) must, in the exercise of their functions, have due regard to the need to : <ul style="list-style-type: none"> • eliminate discrimination, harassment and victimisation or any other conduct prohibited by the Equality Act 2010 in relation to the protected characteristics • advance equality of opportunity between all persons; and • foster good relations between groups of people sharing a protected characteristic and those that do not.

Equality Statement

Leicestershire Partnership NHS Trust (LPT) aims to design and implement policies and practices that meet the diverse needs of our local population and workforce. It is about creating fair and equal access to goods, services, facilities and employment opportunities for all. It is about reducing disadvantage experienced by some groups in comparison to others.

This policy takes into account the provisions of the Equality Act 2010 and the general and specific duties, ensuring as far as possible that the Trust eliminates discrimination, advances equality of opportunity and fosters good relationships. It is about ensuring no one receives less favourable treatment on the grounds of; age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex (gender) or sexual orientation.

In carrying out its functions, the Trust will take into account the different needs of different groups in their area. This applies to all the activities for which LPT is responsible, including policy development, review and implementation.

1. Introduction

This policy provides a framework for Leicestershire Partnership NHS Trust (hereafter referred to as the Trust) that will ensure compliance with the Equality Act 2010, Public Sector Equality Duty, Human Rights Act 1998 and Mental health Act 2007 in respect of their responsibilities as an employer and as a provider of services. The policy underpins any other policy or practice applied by the Trust. ,

The policy demonstrates the Trusts commitment towards dealing fairly with issues of equality, diversity and inclusion and anti-discriminatory practice both in the provision of services and as an employer. It is the intention of the Trust to eliminate unfair and unlawful discriminatory practices in line with current legislation.

Our commitment to this agenda has been summarised in our 'Equality and Diversity Statement'.

1.1 Background

This policy replaces all previous equality policies managed by the Trust.

The Trust is committed to creating a culture where everyone has equal chances to improve their health and welfare in an environment free from any unlawful discrimination, harassment and bullying.

The Trust recognises that the experiences and needs of every individual are unique. The Trust strives to value and respect the diversity of its service users, patients, carers, staff and the public.

The policy sets out the Trusts expected standards of behaviour in employment, service delivery, suppliers, contractors and partner agencies. As a public body, the Trust has a duty to eliminate discrimination, advance equality and foster good relations.

1.2 Purpose

The policy applies to all staff, service users, patients, carers, visitors and any activities and functions undertaken by, or on behalf of the Trust.

Equality sits at the heart of everything the Trust does and delivers. It is a fundamental part of ensuring services and employment practices are fit for purpose and do not discriminate or disadvantage any protected group or individual.

2. Legal Duty

2.1 Equality Act 2010

The policy contains measures under the [Equality Act 2010](#) to ensure as far as possible no one in the Trust discriminates (directly or indirectly) or victimises another person on the grounds of age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The legislation covers discrimination on several grounds: direct and indirect discrimination, discrimination by association, discrimination by perception and victimisation.

The Public Sector Equality Duty (PSED) consists of a general duty, (set out in section 149 of the Equality Act 2010); and specific duties (set out in secondary legislation to

accompany the Equality Act 2010). The specific duties are designed to help public bodies meet the general duty; aiming to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- advance equality of opportunity between people who share a protected characteristic and those who do not;
- foster good relations between people who share a protected characteristic and those who do not.

2.2 Due Regard

The Trust is committed to equality and ensures that all policies have a Due Regard undertaken to reduce/mitigate any disadvantages/barriers faced by protected groups. The Equality Act 2010 was introduced to eliminate unlawful discrimination, harassment, victimisation, that advances equality of opportunity and fosters good relations. The public sector equality duty helps the Trust meet its duties under the Act and as part of that duty ensure that due regard is considered for all policies, procedures and functions.

Please [click here](#) to view full details on the Trust Due Regard process in support of this activity.

2.3 Commitment to Human Rights Approach

The [Human Rights Act 1998](#) sets universal standards to ensure that a person's basic needs as a human being are recognised and met. Public authorities are required to have arrangements in place to ensure that they comply with equality and human rights legislation, and it is unlawful for public sector organisations to act in a way that is incompatible with the legislation.

The Act encourages public authorities to apply a human rights approach to decision making across public services in order to achieve better service provision. The Care Quality Commission standards stipulate requirements related to human rights. The Trusts core purpose of putting patients first embodies the principles of respecting human rights.

The [UK Human Rights Act contains 15 basic rights](#):

2.4 Modern Slavery Act 2015

The 'Modern Slavery Act 2015' received Royal Assent on 26 March 2015 and is compatible with the Human Rights Act 1998 and the Equality Act 2010.

The Act was introduced to protect individuals held against their will in relation to slavery, servitude and forced or compulsory labour, human trafficking and exploitation.

What is modern slavery?

Modern slavery is the illegal trade of human beings used for the purpose of commercial sexual exploitation or reproductive slavery, forced labour, or a modern-day form of slavery. This could relate to British and foreign nationals trafficked into, around and out of the UK. Children, women and men can all be victims of modern slavery. The Trust Board, Chief

Executive, Clinical Directors, Divisional Directors, Heads of Service, Clinical Leads and managers have overall responsibility for ensuring that staff are aware and receive appropriate support for dealing with issues regarding the Modern Slavery Act.

All staff have a responsibility to raise concerns with their immediate line manager and take appropriate action by using the routes outlined to report incidents of modern slavery

2.5 Gender Reassignment

It is unlawful to discriminate against staff because they are in the process of changing their gender identity or have gone through the process of gender reassignment. Trust policies support and ensure that staff are not discriminated against on the grounds of gender reassignment when engaging in any process such as:

- recruitment and selection;
- determining pay;
- training and development;
- selection for promotion;
- discipline and grievances;
- countering bullying and harassment;
- taking time off work.

Gender reassignment is a personal, social, and sometimes medical, process by which a person's gender presentation (the way they appear to others) is changed. Anyone who proposes to, starts or has completed a process to change his or her gender is protected from discrimination under the Equality Act. An individual does not need to be under medical supervision to be protected. So, for example, a woman who decides to live as a man without undergoing any medical procedures would be covered (*please refer to the Trust [Gender Reassignment policy](#)*).

It is discriminatory to treat transsexual people less favourably for being absent from work because they propose to undergo, are undergoing or have undergone gender reassignment, when compared to how they would be treated if they were absent because of illness, injury or other reason. Please refer to the Trust Sickness Absence policy.

2.6 Reasonable Adjustments

Reasonable Adjustment may be required when a disabled person applies for and is recruited to a post, when a member of staff becomes disabled or develops a long term health condition, when the impact of an impairment or medical condition deteriorates for an employee, when there is a change to the workplace or employment arrangements, or when there is need for a disabled member of staff to undertake further training.

Reasonable Adjustments may extend to the individual concerned only (such as providing a Support Worker, acquiring or adapting specialist equipment or organising transport to-from and within work). Or, they may be more wide-ranging to include changes to policies, procedures or corporate functions, to working arrangements or to enable access to premises that also includes car parking, signage, light/noise levels and safe evacuation. Where members of staff have particular needs for in relation to a protected characteristic (disability, religious or belief, etc.), which may conflict with existing work requirements, these requirements will be considered which may result in adjustments where reasonably

practicable (such as ensuring that documentation is made available in different formats (please see Reasonable Adjustment policy).

3. Responsibility and Accountability

3.1 The Board and Chief Executive

The Trust Board and Chief Executive have overall responsibility and accountability for leading and promoting the equality agenda. Furthermore, the Board, Chief Executive and Directors will take responsibility for applying, co-ordinating and monitoring the activity.

Members of the Board, collectively and individually are responsible for supporting the Chief Executive in this objective by making sure the necessary arrangements are in place to eliminate any unlawful discrimination and by promoting equality of opportunity and good relations when carrying out their work.

The Trust will endeavour to conform to current legislative requirements and will seek to ensure equality in access to and the provision of services. We will also endeavour to breakdown any barriers that prevent equality of access to employment, promotion and development for all.

We have a legal and moral responsibility to ensure that the Trust and its employees do not discriminate. The Trust must also demonstrate that the arrangements it has in place to prevent discrimination are effective. Those arrangements will include ways of:

- planning and driving forward the processes for implementing the equality agenda;
- taking responsibility for monitoring the review of functions and policies and implementing appropriate plans;
- ensuring involvement, engagement and consultation takes place with staff and appropriate groups (representing all equality groups);
- taking responsibility for ensuring relevant information is published and action plans are monitored and reported on, on an annual basis in a manner accessible to all stakeholders.

3.2 Directors and Heads of Service

Divisional Directors and Heads of Service are responsible and accountable for the implementation of the Equality, Diversity and Inclusion policy and for embedding the equality agenda through the use of the [Equality Delivery System 2 \(EDS2\)](#), [Workforce Race Equality Standard \(WRES\)](#) and the [Workforce Disability Equality Standard \(WDES\)](#).

They have specific responsibility for monitoring the effectiveness of this policy and deciding on appropriate actions in response to any needs identified. This policy will be subject to review on a biannual basis, or as a result of changes in legislation in consultation with Staff Side Representatives, representatives from other staff equality groups.

3.3 Managers and Team Leaders

Trust Managers hold responsibility and accountability for ensuring the practical application of the Equality, Diversity and Inclusion policy and for the incorporation of its principles into all other Trust policies and procedures, evidenced through the Due Regard process.

Managers should be aware that they will be expected to promote positively equality standards in line with the requirements of the Equality Act 2010.

Managers, and other employees in supervisory positions, have a particular duty to ensure that discrimination and harassment, or any other breaches of Trust policies, do not occur in any directorates/departments or areas of work for which they are responsible. They also have a duty to give positive support to any measures that will promote equality, diversity, and inclusion.

Additional responsibilities include:

- ensuring that their staff have attended the appropriate mandatory equality training;
- ensuring that those who report to the manager, but who are not employed by the Trust (e.g. volunteers and providers of goods and/or services), take responsibility for their behaviour and conduct in the workplace and to make them aware of the practical application of this policy (Equality and Diversity Statement);
- assisting with the monitoring of compliance within their area of responsibility in respect of equality outcomes;
- being involved in the development of policies, practices and service redesign initiatives and ensuring that Due Regard is conducted;
- ensuring allegations of discriminatory behaviour/practices are correctly investigated and that appropriate action is taken through the use of other appropriate policies.

3.4 Individual Responsibility

Individuals in particular will ensure that:

- they maintain professional behaviour and good practices at all times, ensuring the reputation of the Trust within the community is promoted.
- they have professional attitudes and good conduct and behaviour, which are crucial to equality in the delivery of services and in the carrying out of the Trusts functions.
- they ensure that they do not discriminate, harass or bully anyone.
- they promote a climate free from unacceptable behaviour each employee must ensure that their own conduct, and that of their colleagues, does not cause offence, to this end staff are encouraged to challenge and discourage offending behaviour and to support colleagues who are experiencing harassment, discrimination or bullying.
- they co-operate and adhere to measures introduced by the Trust to ensure equality of opportunity and non-discrimination in employment and service delivery.
- they do not discriminate, when they are involved in recruitment and selection decisions, promotion, transfer or training.
- they do not induce or attempt to induce other members of staff, union members or management to practice unlawful discrimination, harassment or bullying, when delivering a service.
- they do not victimise or attempt to victimise any individual on the grounds that they have made a complaint/grievance or assisted someone who has made a complaint/grievance.

- they do not harass, abuse, intimidate or bully other members of staff or members of the public.
- they inform their managers, if they suspect that discrimination, harassment, bullying, abuse, victimisation or offensive banter has taken place.

The Trust is committed to fostering a culture where staff can approach their manager or supervisor and raise a concern about their human rights. Whatever their concern, they have a right for it to be considered, discussed and resolved where possible.

4. Anti-Bullying, Harassment and Victimisation

The Trust has a zero-tolerance to bullying, harassment and victimisation.

The [Anti-bullying, Harassment and Victimisation policy](#) is designed to ensure all members of staff, providers of services and service users are aware of what bullying and harassment is, know how to confront and challenge inappropriate behaviour and know how to raise a grievance or complaint without fear of reprisal or victimisation.

We are committed to having a working environment which is free from intimidation, offensive banter, discrimination and harassment or bullying on the grounds of disability, gender, marital status, race, colour, ethnic origin or national origin, nationality, age, sexual orientation, gender re-assignment, religion or belief, pregnancy and maternity or any other unjustifiable conditions or requirements covered under the legislation; this includes bullying and harassment on the grounds of association or perceived association with any of the aforementioned characteristics.

The Trust has designed, developed and implemented a confidential advisory Anti-Bullying and Harassment Advice Service that uses trained advisors to provide guidance and advice to individuals experiencing inappropriate behaviour. To contact an advisor you can call the confidential helpline on 07557190581 or e-mail nobullying@leicspart.nhs.uk.

The Trust will not tolerate or accept bullying and harassment behaviour from staff, providers of services and service users. Managers will ensure, so far as is reasonably practicable, that bullying and harassment does not occur. Any action or behaviour found to be in breach of Trust policies may be regarded as misconduct or gross misconduct and may result in disciplinary action, in accordance with the Trust disciplinary procedure.

5. Recruitment, Promotion, Transfers, Redeployment and Resignation

The ['Recruitment and Selection'](#) policy will underpin all other policies related to recruitment, promotion, transfers, redeployment and resignations. Where clarity is required, managers will seek advice and support from the Human Resources Team or the Equality and Human Rights Team.

All job advertisements will include a statement to encourage applications from groups that are under-represented within the Trust. Any positive action initiatives to encourage such applications will keep to relevant legislation.

Job advertisements and supporting recruitment documentation will ensure that they do not refer to any specific equality criteria unless there is a genuine occupational requirement, which fully meets the provisions of the relevant legislation. Any personal details specified

must be genuinely necessary to perform the particular role. For example; a post on a female only ward might specify an essential criterion that applicants must be female.

Any procedure for selecting and recruiting staff, promoting, transferring and redeploying employees and resignations/voluntary redundancies of employment will need to be fair and consistent (*please see Trust [Recruitment and Selection policy](#) and guidance*).

Staff leaving the Trust will be asked to complete an on-line form or may request a 1:2:1 exit interview, this will be an opportunity to discuss any equality and diversity issues.

6. Grievance and Disputes Policy and Disciplinary Policy & Procedure

6.1 Grievance

All staff have the right to seek redress for their grievances. Grievances must be treated equally and fairly and not subjected to assumptions about the personal sensitivity of the employee expressing the grievance (*please see [grievance policy](#) for details*).

6.2 Disciplinary

This Disciplinary Policy is in place to ensure that all employees are aware of and maintain the high standards of conduct required by this Trust. It describes clearly the process for reporting, investigating and managing allegations of misconduct and ensures all employees are treated fairly and consistently.

7. Training and Development

There is a need for training identified within this policy. In accordance with the classification of training outlined in the Trust Learning and Development Strategy this training has been identified as Equality and Diversity Training and is part of the core mandatory programme undertaken as part of the Induction programme and thereafter every 3 years refresher training.

All staff will have access to regular supervision, an annual review of their performance ([Trust Appraisal policy](#)), and a personal development plan which identifies their training needs. This will include a review of any equality training appropriate to their job function. All information is recorded on the Trust uLearn site.

The governance group responsible for monitoring the training is the Learning and Development group.

8. People (other than employees) working for the Trust

Contractors, agency staff, partners, stakeholders and students on placement within the Trust who are providing services are required to adhere to the equality principles outlined in this policy. Appropriate action will be taken against contractors, agency staff and students who fail to adhere to the policy.

9. Patients, Service Users, Carers and Visitors

Patients, service users, carers and visitors will be expected to recognise and comply with the principles set out in this policy whilst on the Trust's premises or whilst receiving care originating from the Trust. Every effort will be made by the Trust to ensure all relevant information is available in a suitable format to achieve this aim.

Patients, service users, carers and visitors are expected to be respectful to all staff and other patients.

Patients, service users, carers and visitors who are verbally or physically abusive or who make derogatory statements that are of a discriminatory nature to any staff or other patients should be aware that they will be challenged about their behaviour. Where appropriate, the Trust may consider limiting or withdrawing the provision of services to, patients, service users, carers and visitors and may seek to prosecute individuals where it deems necessary (*please see [Prevention and Management of Aggression Policy](#)*).

The Trust will consider issues such as non-capacity and any learning disability at this time before any action is taken such as a service being removed or reduced.

10. Diversity and Inclusion Approach

The Trust Diversity and Inclusion Approach 2017 - 2021 has been designed and developed to improve service delivery to the broader community and meet our public sector equality duty. The Trust will also aim to extend its focus to reduce the health inequalities and associated socio-economic factors. The action plan for the next four years will focus on activity that improves outcomes for those most disadvantaged. Activity will include;

11. Staff Equality Support Groups

The Trust strongly supports the establishment of [Staff Support Groups](#) for staff. The groups provide an opportunity for staff who share one or more aspects of their identity, (protected characteristics) or who wish to champion/support/learn about any protected group to communicate, network, meet and support each other. In turn, the Staff Support Groups help the Trust to break down barriers and improve equality outcomes.

For more information, [please click here](#)

The Staff Support Group guidance document can be viewed by clicking on the link; [Staff Support Group guidance](#).

12. Involving, Engaging and Consulting

The Trust will involve, engage and consult with local communities, employees, trade unions and anyone receiving our services, to develop and put in place strategies, policies and services that are appropriate to our diverse communities. The Trust will assess the effect of strategies, policies and services on all communities to ensure that needs are understood and met.

13. Hate Crime and Incidents

Hate Crime is about victims in our communities (internal/external) who are targeted because of who they are, what they are or what people think they are. These incidents are motivated by offenders who have a hatred of their victims for example due to their, race, colour, ethnic or national origins, religion or belief, disability, sexual orientation, gender or gender identity, this list is not exhaustive. Hate crimes come in many forms including physical attacks, threats of violence or verbal abuse such as insults.

As part of the Trusts commitment to tackling hate crime a dedicated online resource is available to support staff and service users (*please refer [Hate Crime](#) webpage details*). One initiative to help tackle hate crime is the facilitation of third party reporting.

Third party reporting takes away the need for a victim to attend a police station or to have any visible police presence at their home. Instead, victims or witnesses can report incidents confidentially and anonymously.

There are also trained staff who deal with third party reports in a manner that will ease any apprehension. These staff can also provide support, advice and potentially act as a link between victims and police.

14. Procurement

Effective procurement to ensure a range of choice and equitable provision

The idea of fairness for all is at the heart of the NHS, and is reflected in the NHS Constitution. We make every effort to guarantee that the organisations from which we commission health services offer equitable access to all within Leicester, Leicestershire and Rutland, irrespective of any protected characteristic or equality group.

The Trust has an obligation to pass on our equality duties to contractors, such as the collection of equality monitoring data in order to allow the assessment of equal access and outcomes by protected characteristics. Equality duties relevant to the provider must be explicitly and clearly stated within the organisation's contracts.

15. Performance and contract management

The Trust has a legal obligation to monitor the impact of commissioned services on people from different equality groups. The health needs of disadvantaged groups cannot be accurately identified without access to data that is appropriately disaggregated, nor can we evidence progress towards improving access and health outcomes and reducing health inequalities.

16. Monitoring & Review

An essential part of this policy is the monitoring of equality related outcomes and measures. The Trust will monitor activity and highlight any equality concerns that are identified. This will enable us to take appropriate action to address any issues identified.

The Director of Human Resources and OD (who champions the equality agenda) with the support of the other directors will have the lead responsibility and accountability to ensure that this policy document is reviewed with respect to changes in legislation and/or at any time where it can be shown the needs of either the Trust or its employees are not being met.

17. Service Delivery

The Trust will endeavour to ensure that its services are non-discriminatory, enabling equality of access and provision and meeting the requirements of the Equality Act 2010.

The Trust will make every effort to prioritise its services and set them according to the health and social care needs of all diverse groups within the community. The Trust recognises the importance of seeking views from the community it serves and working cohesively to identify and improve services that help to tackle health inequalities.

18. Complaints

The Trust will endeavour to actively involve and engage with all communities in order that they can influence and shape services. It is committed to fostering a culture where patients can approach a member of staff and raise a concern about their human rights. Any concerns/issues will be considered and discussed with them and resolved where possible.

If members of staff have a complaint they should contact the Human Resources Team or the Equality and Human Rights Team. All grievances and complaints will be treated seriously and with sensitivity. Further information can be obtained from the Human Resources Team or by viewing the relevant policies on our website ([link to policies](#)).

19. Equality and Human Rights Team

The Equality and Human Rights Team will work in partnership with service users and staff to reduce barriers. The team will provide support and guidance on equality to the board, chief executive, directors, senior managers, leads and all staff, as required.

The team will provide training that is appropriate to ensuring that equality principles are applied for promoting, embedding and mainstreaming equality into everything we do.

To contact the Equality Team, please e-mail us at equality@leicspart.nhs.uk

Codes of Practice and Guidance

ACAS - guidance on legislation and good practice www.acas.org.uk

British Institute of Human Rights - guidance on legislation including human rights
www.bih.org.uk

Department of Health - information about all department of health activity including equality and human rights www.dh.gov.uk

Equality and Human Rights Commission - guidance on legislation and good practice
www.ehrc.org.uk

NHS Employers – guidance for NHS on employment policy and practice
www.nhsemployers.org

List of Abbreviations

BME	Black Minority Ethnic	IES	Integrated Equality Service
CVD	Cardiovascular Disorder	HIV	Human Immunodeficiency Virus
CHD	Coronary Heart Disease	HR	Human Resources
CQC	Care Quality Commission	ITS	Interpretation and Translation Services
DoH	Department of Health	LGBT	Lesbian Gay Bisexual and Transgender
EA	Equality Analysis	LPT	Leicestershire Partnership NHS Trust
EDHR	Equality Diversity and Human Rights	PDR	Personal Development Review
EDS	Equality Delivery System		
EHRC	Equality Human Rights Commission		

Policy Implementation and effectiveness

Minimum Requirements	Self-assessment evidence	Process for Monitoring	Responsible Individual / Group	Frequency of monitoring
Data captured by protected characteristics on recruitment, selection, interview and appointments.	Section 5	Analysis of recruitment Activity	WWG	Monthly
Data captured by protected characteristics to assessment training and development activity.	Section 12	Analysis of training & development, deployment and promotions and ESR reports	WWG	Monthly
Data captured by protected characteristics on grievance, bullying and harassment and disciplinary	Section 3, 10 and 11	Analysis of Grievance, disciplinary and harassment issues	WWG	Monthly
Data captured by protected characteristics on leavers.	Section 5	Analysis of those leaving the workforce and exit interviews	WWG	Monthly
Data captured by protected characteristics in relation to complaints received by patients/services users.	Section 19	Equality Monitoring of complaints	WWG	Quarterly
Overall Equality compliance with the Equality Act 2010 and Human Rights Act 1998	Section 2	Publication of compliance information on 31 st January. Annual Equality Report May	SWG Trust Board	Yearly

Policy Monitoring Section

Duties outlined in this Policy will be evidenced through monitoring of the other minimum requirements

Where monitoring identifies any shortfall in compliance the group responsible for the Policy (as identified on the policy cover) shall be responsible for developing and monitoring any action plans to ensure future compliance

Ref	Minimum Requirements (what are you measuring)	Self-assessment evidence	Process for Monitoring (how you measure it)	Responsible Individual / Group	Frequency of monitoring
a.	Statement by the organisation that harassment and bullying are not acceptable	Section 3 and Dignity at Work policy	Mediation, informal & formal investigation processes. Number of cases reported to WOD	Human Resources Team	Monthly
b.	The types of checks carried out as part of recruitment and selection of employee and how these checks are carried out	Section 5 and Recruitment and Selection policy	ESR Mandatory Checklist / Renewal & Report	Employment Services Resourcing and Retention	Monthly
c.	Grievances raised at stage 1 and 2 are responded to within the timeframe stated in the Grievance policy	Section 11 and Grievance Policy	Number of cases reported to Workforce Groups	Human Resources Team	Monthly
d.	How LPT records that all permanent staff complete core mandatory training	Section 13 and Mandatory Training Policy	Mandatory training register	Learning and Development Team	Monthly

The NHS Constitution

NHS Core Principles – Checklist

Please tick below those principles that apply to this policy

The NHS will provide a universal service for all based on clinical need, not ability to pay. The NHS will provide a comprehensive range of services

Shape its services around the needs and preferences of individual patients, their families and their carers	✓
Respond to different needs of different sectors of the population	✓
Work continuously to improve quality services and to minimise errors	✓
Support and value its staff	✓
Work together with others to ensure a seamless service for patients	✓
Help keep people healthy and work to reduce health inequalities	✓
Respect the confidentiality of individual patients and provide open access to information about services, treatment and performance	✓

Due Regard

Section 1			
Name of activity/proposal		Equality Policy	
Date Screening commenced		12 th November 2018	
Directorate /Service carrying out the assessment		Enabling	
Name and role of person undertaking this Due Regard (Equality Analysis)		Leona Knott Equality and Human Rights Coordinator	
Give an overview of the aims, objectives and purpose of the proposal:			
OBJECTIVES:			
The Trust is committed to equality and ensures that all policies have a Due Regard undertaken to reduce/mitigate any disadvantages/barriers faced by protected groups.			
The Equality Act 2010 was introduced to eliminate unlawful discrimination, harassment, victimisation, that advances equality of opportunity and fosters good relations.			
The public sector equality duty helps the Trust meet its duties under the Act and as part of that duty ensure that due regard is considered for all policies, procedures and functions.			
Section 2			
Protected Characteristic	If the proposal/s have a positive or negative impact please give brief details		
Age	As above		
Disability	As above		
Gender reassignment	As above		
Marriage & Civil Partnership	As above		
Pregnancy & Maternity	As above		
Race	As above		
Religion and Belief	As above		
Sex	As above		
Sexual Orientation	As above		
Other equality groups?	As above		
Section 3			
Does this activity propose major changes in terms of scale or significance for LPT? For example, is there a clear indication that, although the proposal is minor it is likely to have a major affect for people from an equality group/s? Please <u>tick</u> appropriate box below.			
Yes		No	
High risk: Complete a full EIA starting click here to proceed to Part B		Low risk: Go to Section 4.	✓
Section 4			
If this proposal is low risk please give evidence or justification for how you reached this decision:			
This policy has included consideration of all 9 protected characteristics. It promotes inclusion and support for all staff. We recognise that natural bias presents a risk of potential discrimination in human relationships and communication and we therefore require all staff to complete regular Equality and Diversity training updates.			
Signed by reviewer/assessor	L Knott	Date	12 November 2018
<i>Sign off that this proposal is low risk and does not require a full Equality Analysis</i>			
Head of Service Signed		Date	

DATA PRIVACY IMPACT ASSESSMENT SCREENING

<p>Data Privacy impact assessment (DPIAs) are a tool which can help organisations identify the most effective way to comply with their data protection obligations and meet Individual's expectations of privacy.</p> <p>The following screening questions will help the Trust determine if there are any privacy issues associated with the implementation of the Policy. Answering 'yes' to any of these questions is an indication that a DPIA may be a useful exercise. An explanation for the answers will assist with the determination as to whether a full DPIA is required which will require senior management support, at this stage the Head of Data Privacy must be involved.</p>		
Name of Document:	Equality, Diversity & Inclusion Policy	
Completed by:	Leona Knott	
Job title	Equality and Human Rights Co-ordinator	Date 5 November 2018
Screening Questions	Yes / No	Explanatory Note
1. Will the process described in the document involve the collection of new information about individuals? This is information in excess of what is required to carry out the process described within the document.	No	
2. Will the process described in the document compel individuals to provide information about them? This is information in excess of what is required to carry out the process described within the document.	No	
3. Will information about individuals be disclosed to organisations or people who have not previously had routine access to the information as part of the process described in this document?	No	
4. Are you using information about individuals for a purpose it is not currently used for, or in a way it is not currently used?	No	
5. Does the process outlined in this document involve the use of new technology which might be perceived as being privacy intrusive? For example, the use of biometrics.	No	
6. Will the process outlined in this document result in decisions being made or action taken against individuals in ways which can have a significant impact on them?	No	
7. As part of the process outlined in this document, is the information about individuals of a kind particularly likely to raise privacy concerns or expectations? For examples, health records, criminal records or other information that people would consider to be particularly private.	No	
8. Will the process require you to contact individuals in ways which they may find intrusive?	No	
<p>If the answer to any of these questions is 'Yes' please contact the Data Privacy Team via Lpt-dataprivacy@leicspart.secure.nhs.uk</p> <p>In this case, ratification of a procedural document will not take place until review by the Head of Data Privacy.</p>		
Data Privacy approval name:	Leona Knott	
Date of approval	5 November 2018	

Acknowledgement: This is based on the work of Princess Alexandra Hospital NHS Trust